

# Austin & Rogers, P.A.

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\* ALSO ADMITTED IN N.C.

December 7, 2016

**VIA, ELECTRONIC FILING**

The Honorable Jocelyn Boyd  
Chief Clerk and Administrator  
The Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, South Carolina 29210

Re: • **Docket Number 2016-8-E**  
• **Petition to Intervene**

Dear Ms. Boyd:

Enclosed for filing is Petitioner Southern Current LLC's Petition to Intervene, Cover Sheet and Certificate of Service.

All parties of record have been served. Please notify the undersigned if you there is anything else you may need.

Respectfully Submitted,

/S/\_\_\_\_\_  
Richard L. Whitt

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**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2016-8-E**

IN RE: Duke Energy Progress, LLC's  
Integrated Resource Plan (IRP)

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**PETITION  
TO  
INTERVENE**

**INTRODUCTION**

On November 1, 2016, Duke Energy Progress, LLC, ("DEP"), through counsel, filed its annual Integrated Resource Plan ("IRP"), Report in Commission Docket 2016-8-E. Petitioner herein is Southern Current LLC. This Petition to Intervene is filed pursuant to R. 103-825, of this Commission's Rules and Regulations and other applicable Rules and Regulations. Petitioner seeks approval to intervene and be made a party of record in the above-referenced Docket, with full rights of participation.

**PETITIONER**

**Southern Current LLC.**

1. Southern Current LLC is the company resulting from the merger of, "Solbridge Energy LLC" and "Sustainable Energy Solutions, LLC". Southern Current LLC is a Delaware Limited Liability Corporation, duly organized and authorized to conduct business in the State of South Carolina, with its principal place of business at 1634 Ashley River Road, Charleston, South Carolina 29407, ("Southern Current").

2. Southern Current is a renewable energy solutions provider, with a focus on solar photovoltaic energy systems. Southern Current's services include planning, consulting, design, system installation and maintenance and project development. As an Engineering Procurement & Construction (EPC) Contractor, Southern Current has installed over 400 Solar Energy Systems in seven different States. As a utility scale project developer, it has originated over 70 MW of operating solar assets with another 300+ MW under construction or slated for commissioning in 2017. Southern Current controls a pipeline of approximately 900 MW of early to mid-stage utility scale projects focused mainly in the Southeastern States, including Maryland, North Carolina, South Carolina, Louisiana, Alabama, Mississippi and Florida. Southern Current's projects range in size from 1 to 80 MW.

Request for Intervenor Status.

3. Petitioner, Southern Current, in the name of its two predecessor companies, received approval for intervention from this Commission in Commission Dockets 2015-53-E, 2015-55-E, 2015-203-E, 2015-204-E, 2015-205-E and 2015-362-E. Petitioner, Southern Current received approval for intervention from this Commission in Commission Docket 2015-8-E, Docket 2016-9-E, Docket 2016-2-E, Docket 2016-1-E, and Docket 2016-3-E.

4. Southern Current is financially impacted by DEP's filing, as is outlined in more detail hereinbelow.

5. Specifically, Petitioner Southern Current plans to conduct, business in DEP's assigned territory, including sales to DEP's Consumers and Petitioner has a material interest in DEP's filing.

DEP'S Filing.

6. DEP's filing of DEP's Report and annual update to its IRP, was made pursuant to § 58-37-40, S.C. Code Ann., (1976, as amended) and Commission Order No. 1998-502.

7. DEP's annual IRP filing outlines potential infrastructure which will be needed to match DEP's forecasted electricity requirements. DEP's IRP filing should contain a demand and energy forecast and the utility's acceptable plan for meeting DEP's forecast requirements.

8. As outlined herein, Petitioner has substantial business interests in DEP's assigned territory in South Carolina.

9. Petitioner's position is that Petitioner has a direct and substantial interest in this Docket, concerning this Commission's review of DEP's filing in South Carolina and Petitioner's interests cannot be adequately addressed by any other party. Petitioner's further position is that Petitioner will be impacted by DEP's IRP planning, which necessarily influences DEP's decision making, concerning demand-side and supply-side resources and those decisions impact the cost of electricity for South Carolina consumers. Therefore, the specifics of DEP's IRP are important to Petitioner from a financial standpoint. Petitioner's further position is that Intervention will aid this Commission, by assisting in the development of a full and fair record to address the important issue raised in this Docket. As shown above, Petitioner has a direct and material interest in DEP's filing, and this Commission's review.

10. This Commission contemplated intervention in IRP filings, as stated in this Commission's Order No. 2012-95. This Petition to Intervene is timely filed with this Commission.

11. Furthermore, Petitioner's Intervention is consistent with this Commission's long standing policy, "...in encouraging maximum public participation in issues before the Commission, and [Intervention] [is] allowed so that a full and complete record addressing...views and concerns can be developed." (Order No.: 2005-725, in Docket No.: 2005-270-G, dated December 16, 2005).

12. Petitioner should be allowed to intervene in this Docket, with full rights of cross examination, discovery and participation in any Hearing to be scheduled in this Docket.

### **PETITION TO INTERVENE**

13. The granting of SC Solar Development's Petition to Intervene is (i) in the public interest (ii) consistent with the policies of this Commission in encouraging maximum public participation in issues before it and intervention should be allowed so that a full and complete record addressing its views and concerns can be developed and (iii) contemplated in this Commission's Order 2012-95.

14. Southern Current LLC is represented by counsel in this proceeding:

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508 Hampton Street, Suite 300  
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**WHEREFORE**, Petitioner prays for the following relief:

- (a) That this Petition to Intervene be accepted and that Petitioner, Southern Current LLC be made a party of record;
- (b) That Petitioner, Southern Current LLC be allowed to participate fully in this proceeding and take such positions as it deems advisable; and
- (c) For such other and further relief as is just and proper.

Respectfully Submitted,

/S/

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Richard L. Whitt,  
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508 Hampton Street, Suite 300  
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803-251-7442  
Counsel for Southern Current LLC.

December 7, 2016  
Columbia, South Carolina

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2016-8-E**

IN RE: Duke Energy Progress, LLC's  
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**CERTIFICATE OF SERVICE**

I, Carrie A. Schurg, an employee of Austin & Rogers, P.A., certify that I have served copies of the Cover Sheet, Petitioner, Southern Current LLC's Petition to Intervene and this Certificate of Service, as indicated below, via electronic mail on December 7, 2016.

**Heather Shirley Smith**

Email: Heather.smith@duke-energy.com

**Rebecca J. Dulin**

Email: Rebecca.Dulin@duke-energy.com

**Shannon Bowyer Hudson**

Email: shudson@regstaff.sc.gov

/S/ \_\_\_\_\_  
Carrie A. Schurg

December 7, 2016  
Columbia, South Carolina